

RHODE ISLAND RESOURCE RECOVERY CORPORATION

BUSINESS MEETING

WEDNESDAY, MAY 24, 2006

8:30 A.M.

65 SHUN PIKE

JOHNSTON, RI 02919

I. Attendance

A. Austin Ferland, Chairman and CEO

Ken Aurecchia

Michael Salvatore, Jr.

John St. Sauveur

Mayor Scott Avedisian

Jerry Williams

II. Staff Present

Sherry Mulhearn, Executive Director

James Allam, Deputy Executive Director

Dennis aRusso, Operations Manager

Patrick McQueeney, Chief of Security

Bill Anderson, Engineering Manager

Joseph Judge, Chief Financial Officer

Claude Cote, Director of Regulatory Compliance

Bob Casavant

Patricia Cerbo, Purchasing Manager

Sharon D'Angelo, Administrative Manager

Others Present

Bruce Hagerman, Crossman Engineering

Daniel Szetela

Mike D'Ambra, D'Ambra Construction

Laurie Brayton, RI Senate

III. Agenda Items

1. Call to Order – Chairman Ferland called the meeting to order at 8:35 a.m.

2. Minutes of the Meeting

John St. Sauveur made the following motion:

THAT THE READING OF THE MINUTES BE WAIVED AND FURTHER THAT THE MINUTES OF THE PREVIOUS MEETING OF THE OPEN SESSION AND THE EXECUTIVE SESSION HELD ON APRIL 19, 2006 BE ACCEPTED AND APPROVED AS PRESENTED TO EACH COMMISSIONER TODAY.

Michael Salvatore seconded the motion which passed unanimously.

3. Set the Next Meeting

No date was scheduled

4. Contracts

a. Fire Suppression Systems - Dennis aRusso reported that bids were solicited on March 17, 2006 for the supply and installation of 7 new fire suppression systems for the Corporation A40D Volvo tipping facility hauling trucks. This procurement appeared in the Providence Journal was placed on the State's electronic bulleting board and the Dodge Report. A public bid opening was held on April 5, 2006. Following an evaluation of the bid received the Staff Evaluation Committee recommends awarding the contract to Simplex Grinnell.

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SUPPLY AND INSTALLATION OF SEVEN NEW KIDDE KVS FIRE SUPPRESSION SYSTEMS BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND SIMPLEX GRINNELL OF EAST

PROVIDENCE, RI FOR AN AMOUNT NOT TO EXCEED \$50,400.00.

John St. Sauveur seconded the motion which passed unanimously.

b. Common Borrow Material – Dennis aRusso reported that bids were solicited on March 27, 2006 for the supply and delivery of approximately 350,000 tons of common borrow material. This procurement appeared in the Providence Journal, the Dodge Report, New England Construction News and was placed on the State's electronic bulletin board. Following an evaluation of the bids received and based upon the lowest responsive and responsible bidder, the Staff Evaluation Committee recommends awarding the contract to Northeast Transportation Corporation of Smithfield, RI.

John St. Sauveur made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SUPPLY AND DELIVERY OF 75,000 TONS OF COMMON BORROW MATERIAL BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND NORTHEAST TRANSPORTATION CORPORATION OF SMITHFIELD, RI FOR AN AMOUNT NOT TO EXCEED \$440,250.00.

Scott Avedisian seconded the motion which passed unanimously.

c. Welding Supplies – Dennis aRusso reported that bids were solicited on April 7, 2006 for the supply and delivery of various welding supplies. This procurement appeared in the Providence Journal and the Doge Report and was also placed on the State's electronic bulletin board. A public bid opening was held on May 2, 2006. Two vendors responded to the IFB. Following an evaluation of the bids received and based upon the lowest responsive and responsible bidder, the Staff Evaluation Committee recommends awarding the contract to Flash Welding Company, Inc. of Cranston, RI.

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SUPPLY AND DELIVERY OF VARIOUS WELDING SUPPLIES BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND FLASH WELDING COMPANY INC. OF CRANSTON, RI FOR AN AMOUNT NOT TO EXCEED \$150,000.00. THE CONTRACT WOULD COMMENCE ON JULY 1, 2006 AND CONTINUE UNTIL JUNE 30, 2007 WITH THE CORPORATION'S OPTION TO RENEW UNDER THE SAME TERMS AND CONDITIONS FOR TWO ADDITIONAL ONE YEAR PERIODS.

Scott Avedisian seconded the motion which passed unanimously.

d. Lakeside Commerce Center Contract 2 – Bill Anderson reported that on April 13, 2006 the Corporation issued an RFQ/RFP for the competitive procurement of a qualified company to construct the roads and infrastructure required for the development of the southern industrial park located off Scituate Avenue. A pre-proposal conference was held on April 25, 2006. Notice of solicitation appeared in the Providence Journal, Dodge Reports, New England Construction News and listed on the State's electronic bulletin board. There were 15 recipients of the proposal. There were 4 respondents. After review of the experience, expertise and qualification demonstrated by each firm, the Evaluation Committee recommends awarding the contract to DiGregorio Corporation.

John St. Sauveur made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR, SUBJECT TO APPROVAL BY THE FINANCE SUBCOMMITTEE, TO ENTER INTO A CONTRACTUAL AGREEMENT FOR ROADWAY AND INFRASTRUCTURE CONSTRUCTION RELATED TO DEVELOPMENT OF THE SOUTHERN INDUSTRIAL PARK OFF SCITUATE AVENUE, WITH DIGREGORIO CORPORATION, OF SMITHFIELD, RI FOR A TOTAL NOT TO EXCEED PRICE OF

\$7,180,715.00 (INCLUDES A 10% CONTINGENCY.

Scott Avedisian seconded the motion which passed unanimously.

e) Off Road Diesel Fuel - Dennis a Russo reported that he was seeking approval to increase the Brennan Oil Company purchase order for the supply and delivery of off road diesel fuel. When the contract was renewed last year, the Purchase Order was issued for the period from July 1, 2005 to June 30, 2006. Over the past several months the cost of petroleum products has risen to a record high causing the original budgeted amount to be depleted.

Michael Salvatore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO INCREASE THE AMOUNT OF THE CONTRACT WITH BRENNAN OIL COMPANY, INC. BY \$225,000.00 FOR THE SUPPLY AND DELIVERY OF OFF ROAD FUEL FOR A TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$1,125,000.00.

Ken Aurecchia seconded the motion which passed unanimously.

5. Grant Approvals – John Trevor reported that he was seeking approval of two grant applications as part of the FY 2006

Recycling/Reuse Grants Program for Non-Profit organizations. The first application is for the Aquidneck Island Planning Commission which serves as a regional agency fostering communication, coordination and consensus building among the communities of Middletown, Newport, Portsmouth; Naval Station Newport; the state of Rhode Island and other civic, state and Federal organizations. The second is for Recycling for RI Education which has increased its membership to over 2365 and has distributed more than 240,310 pounds of materials since last grant was provided in 2005. Teachers, child-care providers and other non-profits continue to take advantage of the constantly changing array of materials they are able to capture from the manufacturer's waste stream.

Michael Salvadore made the following motion:

WHEREAS, SUPPORT FOR INITIATIVES BY NON-PROFIT ORGANIZATIONS THAT ENHANCE AND PROMOTE RECYCLING, ENVIRONMENTAL EDUCATION AND THE DIVERSION OF MATERIALS FROM DISPOSAL IS A PRIORITY FOR THE STATE OF RHODE ISLAND AND THE RESOURCE RECOVERY CORPORATION, THEREFORE; BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO AWARD GRANTS TO SUPPORT ENVIRONMENTAL EDUCATION AND WASTE DIVERSION TO THE AQUIDNECK ISLAND PLANNING COMMISSION OF RI FOR \$55,000 AND RECYCLING FOR RI EDUCATION FOR \$30,000.

PAYMENT OF GRANTS AND CONSIDERATION FOR FUTURE GRANTS WILL BE CONTINGENT ON THE COMPLETION OF THE GRANT PROGRAMS OBJECTIVES AS SET FORTH IN THE PROPOSALS SUBMITTED BY THE GRANTEES.

Ken Aurecchia seconded the motion which passed unanimously.

6. Election of Officers

Chairman Ferland stated that by law, on an annual basis, we are required to elect from among our number a chair, vice chair, treasurer, and any other officers that we may determine to elect at our annual meeting to elect such officers. As per the notice of this Board meeting, today May 24, 2006, is our annual meeting to do so. Pursuant to the recently enacted changes to our enabling legislation (effective as of May 4, 2006), the powers of this corporation are now vested in eight commissioners, seven of which are deemed to be public members to be appointed by the governor with the advice and consent off the Senate and one of which shall consist of the Director of Administration or the Director's designee, who shall be a subordinate within the Department of Administration, who now serves as a non-voting ex-officio member of this Corporation's Board.

According to these recent changes to our enabling legislation, those members of the corporation Board as of May 4, 2006 who were

appointed to the Corporation by the Governor shall continue to serve the balance of their current terms. By law, however, all such public members continue to serve until their respective successors are appointed and qualified. So, why don't we proceed to elect our officers for the coming year, one officer at a time, starting with the Chair? Are there any nominations for one of us to serve as the chair of the Board?

John St. Sauveur stated that he nominates Austin Ferland.

Austin Ferland asked if there was a second. Ken Aurecchia seconded the nomination. All members voted in favor. Chairman Ferland stated that let the Minutes reflect that Austin Ferland is elected chairman for the following year.

Austin Ferland asked if there were any other nominations. Michael Salvadore stated that he would like to nominate Ken Aurecchia as the Vice Chair. Austin Ferland asked if there was a second. John St. Sauveur seconded the nomination. All members voted in favor.

Austin Ferland asked if there were any other nominations. John St. Sauveur stated that he would like to nominate Michael Salvadore, Jr. as Treasurer. Scott Avedisian seconded the nomination. All members voted in favor.

Austin Ferland asked if there were any other nominations. Hearing

none he asked for a motion to close the nominations. John St. Sauveur made that motion, which was seconded by Scott Avedisian and voted on unanimously.

Scott Avedisian made a motion to accept all three nominations; John St. Sauveur seconded the motion which passed unanimously. Chairman Ferland stated that the ayes have it and the nominations are closed.

7. Executive Session

Michael Salvatore made the following motion at 9:15 a.m.

THAT BY A ROLL CALL VOTE, CALLED BY THE GENERAL COUNSEL, THIS BOARD OF COMMISSIONERS SHALL GO INTO EXECUTIVE SESSION, CLOSED TO THE PUBLIC IN CONFORMANCE WITH RI GENERAL LAWS SECTION 42-46-4, UPON AN AFFIRMATIVE VOTE OF THE BOARD'S MAJORITY. IN CONFORMANCE WITH RI GENERAL LAWS SECTION 42-46-5, THIS BOARD'S VOTE TO HOLD THIS PORTION OF THE MEETING CLOSED TO THE PUBLIC IS FOR THE FOLLOWING PURPOSES:

(A) (2) LITIGATION

(A) (5) ACQUISITION OR DISPOSITION OF REAL PROPERTY

(A) (6) PROSPECTIVE BUSINESS INTERESTED IN LOCATING IN RHODE ISLAND

Ken Aurecchia seconded the motion which passed unanimously.

Michael Salvatore made the following motion at 9:32 a.m.

THAT THE MINUTES OF THE EXECUTIVE SESSION BE SEALED INDEFINITELY OR WHERE APPROPRIATE UNTIL ALL MATTERS DISCUSSED ARE RESOLVED.

John St. Sauveur seconded the motion which passed unanimously.

8. Other Business

Sherry Mulhearn reported that Independent Sand and Gravel Company is seeking a reduced tip fee for the disposal of material associated with a low and moderate income housing project. She stated that providing the reduced tip fee as previously requested will assure the prompt payment to the RI Resource Recovery Corporation of the outstanding promissory note, result in the resolution of the outstanding litigation between the RIRRC and the RIDEM. Sherry recommended that the project offered \$3 and our customary rate is \$5.50.

John St. Sauveur made the following motion:

BE IT HEREBY RESOLVED THAT THIS BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN AND/OR THE EXECUTIVE DIRECTOR TO ACCEPT THIS PROJECT MATERIAL FOR ANY AMOUNT PER TON EXCEEDING THE PROJECT OFFER.

Ken Aurecchia seconded the motion which passed unanimously.

Sherry Mulhearn reported that Michael D'Ambra was seeking an extension of the Purchase and Sales Agreement for the property located at 2550 Plainfield Pike. After a discussion the Board of Commissioners gave Mr. D'Ambra a 15-day extension.

9. Adjourn

Michael Salvadore made a motion to adjourn at 9:50 a.m. Ken Aurecchia seconded the motion which passed unanimously.

Sincerely,

**Sherry Mulhearn
Executive Director**

:spd